

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON**

**IN RE: ETHICON, INC., PELVIC REPAIR
SYSTEM PRODUCTS LIABILITY
LITIGATION**

**Master File No. 2:12-MD-02327
MDL 2327**

**JOSEPH R. GOODWIN
U.S. DISTRICT JUDGE**

**MOTION TO EXCLUDE GENERAL-CAUSATION TESTIMONY OF
BRIAN RAYBON, M.D.**

In accordance with the extension of time agreed to by the parties, Defendants Ethicon, Inc. and Johnson & Johnson (Ethicon) move to exclude certain general-causation testimony of Brian Raybon, M.D. Dr. Raybon is not qualified to offer certain opinion testimony and some of his proposed opinion testimony is unreliable and irrelevant under the standard set forth in *Daubert v. Merrell Dow Pharm, Inc.*, 509 U.S. 579 (1993), and as expressed by this Court in prior rulings. Ethicon incorporates its Memorandum in Support of Motion to Exclude General-Causation Testimony of Brian Raybon, M.D., and also the following exhibits:

1. The list of cases to which this motion applies, identified by case style and number, attached as Exhibit A;
2. Stipulation and Agreement of the Parties Regarding Deposition of Brian Raybon, M.D. filed in *Freeman v. Ethicon, Inc.*, Case No. 2:12-cv-00490 (Dkt. 76), *Walker v. Ethicon, Inc.*, Case No. 2:12-cv-00873 (Dkt. 84), and *Wilson Wolfe v. Ethicon, Inc.*, Case No. 2:12-cv-01286 (Dkt. 96), all which represent the agreement of counsel to extend the filing date of this motion to April 29, 2016, collectively attached as Exhibit B;

3. Rule 26 Expert Report of Brian Raybon, M.D. regarding Prolift, attached as Exhibit C;
4. Rule 26 Expert Report of Brian Raybon, M.D. regarding Prolift + M, attached as Exhibit D; and
5. Excerpts from the deposition of Brian Raybon, M.D. taken April 18, 2016, attached as Exhibit E.

WHEREFORE, FOR THESE REASONS and as more fully set forth in Ethicon's supporting memorandum of law, Ethicon respectfully requests that this Court enter an order granting Ethicon's Motion to Exclude the General-Causation Testimony of Brian Raybon, M.D.

Respectfully submitted,

ETHICON, INC. AND
JOHNSON & JOHNSON

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CERTIFICATE OF SERVICE

I certify that on April 29, 2016, I electronically filed this document with the clerk of the court using the CM/ECF system, which will send notification of this filing to CM/ECF participants registered to receive service in this MDL.

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